

9-1-1958

Notes in regard to "The Will and Codicil of Thomas G. Clemson", 1958 September 1

Follow this and additional works at: <https://tigerprints.clemson.edu/tgc>

Materials in this collection may be protected by copyright law (Title 17, U.S. code). Use of these materials beyond the exceptions provided for in the Fair Use and Educational Use clauses of the U.S. Copyright Law may violate federal law.

For additional rights information, please contact Kirstin O'Keefe ([kokeefe \[at\] clemson \[dot\] edu](mailto:kokeefe@clemson.edu))

For additional information about the collections, please contact the Special Collections and Archives by phone at 864.656.3031 or via email at [cuscl \[at\] clemson \[dot\] edu](mailto:cuscl@clemson.edu)

Recommended Citation

"Notes in regard to "The Will and Codicil of Thomas G. Clemson", 1958 September 1" (1958). *Thomas Green Clemson Papers, Mss 2*. 1684.

<https://tigerprints.clemson.edu/tgc/1684>

This Article is brought to you for free and open access by the Manuscript Collections at TigerPrints. It has been accepted for inclusion in Thomas Green Clemson Papers, Mss 2 by an authorized administrator of TigerPrints. For more information, please contact kokeefe@clemson.edu.

NOTES IN REGARD TO THE WILL AND CODICIL
OF
THOMAS GREEN CLEMSON

The original Will and Codicil of Thomas Green Clemson is on file in the Oconee County Court House at Walhalla, South Carolina. In the fall of 1956 this document was lent to Clemson College, and photographs were made of it at that time.

The attached typewritten copy of Mr. Clemson's Will and Codicil was made from the photographed copy of the original - a magnifying glass being used often while it was being studied. Great effort was employed in trying to make this a true copy as to spelling, punctuation, capitalization, abbreviations, words underlined, words repeated, etc. The attention of the reader is called to the following:

In some instances in the original document the word "hereinbefore" was written as one word "hereinbefore," in others as two "herein before." The same is true of the word "hereinafter." An effort was made to copy these words as they were written.

In the Will

Typewritten copy, page 1, paragraph 1, line 35. In the original document the word "exaggerate" was written "exagerate."

Typewritten copy, page 1, paragraph 1, line 38. In the original document the word "overrate" was written "overate."

Typewritten copy, page 2, paragraph 1, Item 1, line 2. In the original document the word "herein" was written "herin."

Typewritten copy, page 3, paragraph 2, Item 4, line 3. In the original document the word "virtu" was written "virtue."

Typewritten copy, page 3, paragraph 3, Item 5, line 1. In the original document the word "granddaughter" was written "grandaughter."

Typewritten copy, page 3, paragraph 6, Item 8, line 2. In the original document the word "intaglio" was written "entaglio." Line 2 - i.e. sealing ring.

Typewritten copy, page 3, paragraph 7, Item 9, line 4. In the original document the word "virtu" was written "virtue."

In the Codicil

Typewritten copy, page 5, paragraph 1, Item 2, line 1. In the original document the phrase was written "the 11th Item." A careful study of the 11th and 12th Items of the Will would lead one to believe that this was written in error and that "the 12th Item" was intended. The 11th Item

refers to Mr. Clemson's property; the 12th Item names James H. Rion as executor.

Typewritten copy, page 6, paragraph 2, Item 12, line 7. In the original document the word "that" was repeated.

Typewritten copy, page 6, paragraph 2, Item 12, line 32. In the original document the phrase was written "the 8th Item." A careful study of the 8th and 9th Items of the Will would lead one to believe that this was written in error and that "the 9th Item" was intended. The 8th Item refers to Mr. Clemson's sealing ring; the 9th Item refers to furniture, relics, etc. "for the purpose of adorning the Fort Hill residence."

Typewritten copy, page 7, paragraph 1, Item 13, line 4. In the original document the word "herein" was written "herin."

September 1, 1958

Mary L. M. Ritchie

NOTES IN REGARD TO COPY OF THE WILL AND CODICIL
OF
THOMAS GREEN CLEMSON

The following Special Testimony was lent to Mr. Littlejohn for a short period in the spring and summer of 1957:

UNITED STATES OF AMERICA, DISTRICT OF SOUTH CAROLINA, FOURTH CIRCUIT.
ISABELLA LEE, COMPLAINANT, Against RICHARD W. SIMPSON, DEFENDANT.
REPORT - TESTIMONY - EXHIBITS AND STATEMENT OF FACTS.
Filed Apr. 22, 1889. J. E. HAGOOD, Special Master.

While this document was at Clemson three photostatic copies of it were made. One of these is in the Oconee County Court House at Walhalla, South Carolina; another is in the Clemson College Library; and another is in the "History File."

This Special Testimony contains copies of certain important documents; among them, a copy of the Will and Codicil of Thomas Green Clemson. This was compared with the photographed copy of the original; and it was found that it is not a true copy as to spelling, punctuation, capitalization, abbreviations, words underlined, words repeated, etc. Notes were made about the discrepancies and put with the copies of this Testimony.

There are also a number of differences between the copy of the Will and Codicil included in this Testimony and the copy by Johnstone & McLain and those appearing in The Clemson Agricultural College Bulletin, Vol. XXI, January, 1925, No. 1, and in the Appendix to the book THOMAS GREEN CLEMSON by Holmes and Sherrill. Among these are the following:

Special Testimony

In the Will

Page 27, paragraph 2, Item 4, line 3. The phrase is written "furniture and virtu." The other copies have this "furniture and vesture."

Page 27, paragraph 6, Item 8, line 2. The word is written "intaglio." The other copies have this "entaglio."

Page 28, paragraph 2, Item 9, line 5. The phrase is written "articles of virtu." The other copies have this "articles of vesture."

In the Codicil

Page 30, paragraph 5, Item 9, line 5. The phrase is written "such sums of money." The other copies have this "such a sum of money."

Page 32, paragraph 2, Item 13, line 3. The phrase is written "of any errors." The other copies have this "of my errors."

NOTES IN REGARD TO COPIES OF THE WILL AND CODICIL
OF
THOMAS GREEN CLEMONSON

The copy of Mr. Clemson's Will and Codicil made by Johnstone & McLain (a copy of which is in the "History File"); the copy which appears in The Clemson Agricultural College Bulletin, Vol. XXI, January, 1925, No. 1 (copies of which are in the "History File"); and the copy which appears in the Appendix to the book THOMAS GREEN CLEMONSON by Holmes and Sherrill (copies of which are in the "History File") are not true copies as to spelling, punctuation, capitalization, abbreviations, words underlined, words repeated, etc. Also, in some cases, words have been added; in others, words have been omitted. These differences, changes, and real errors may affect the reader's interpretation of the meaning intended by Mr. Clemson.

Attention is called to the notes on the following pages which show some of the most evident differences between the original document (Notes on Pages 2 and 3); the copy by Johnstone & McLain (Notes on Pages 4 and 5); the one which appears in The Clemson Agricultural College Bulletin, Vol. XXI, January, 1925, No. 1 (Notes on Pages 6 and 7); and the one which appears in the Appendix to the book THOMAS GREEN CLEMONSON by Holmes and Sherrill (Notes on Pages 8 and 9).

These pages were typed so that the notes made in regard to the original document and those concerning the three copies, referred to in the preceding paragraph, may be placed side by side for easy comparison.

The three copies have the Preamble divided into four paragraphs. In the original document a dash (-) is often placed at the end of a sentence. In the three copies a period (.) is commonly used.

There are instances (other than the ones referred to on the following pages) in which capital and small letters are used in the three copies just opposite from the way they are in the original document.

There is no way to tell the source from which the copy by Johnstone & McLain was made. This copy was secured by Clemson College probably in the early 1920's. Since that time it has been considered the official copy of the College, and has been used as such through the years. The differences between it and the original document should be carefully noted.

The copy appearing in The Clemson Agricultural College Bulletin, Vol. XXI, January, 1925, No. 1, was made from the copy by Johnstone & McLain.

The copy appearing in the Appendix to the book THOMAS GREEN CLEMONSON, by Holmes and Sherrill, was made from the copy appearing in The Clemson Agricultural College Bulletin, Vol. XXI, January, 1925, No. 1.

In some instances the three copies differ as to spelling, punctuation, capitalization, abbreviations, words underlined, etc.

Mary L. M. Ritchie

September 1, 1958

COPY OF WILL AND CODICIL THERETO OF THOMAS GREEN CLEMON
PHOTOGRAPHED AT CLEMON COLLEGE IN 1956 FROM ORIGINAL DOCUMENT
(Which is in Oconee County Court House, Walhalla, S. C.)

In the Will

Page No.	Parag. No.	Item No.	Line No.	Notes
1	1	Preamble	8	The word is <u>disposition</u>
1	1	Preamble	8	The word is <u>than</u>
1	1	Preamble	10	The word is written <u>dated</u> (small "d")
1	1	"	21 & 22	The phrase is <u>physical with intellectual</u>
1	1	Preamble	30	The word is written <u>exagerate</u> (one "g")
1	1	Preamble	32	The word is written <u>overate</u> (one "r")
1	1	Preamble	32	The word is written <u>Legislature</u> (capital "L")
2	1	1	12	The word is written <u>Legislature</u> (capital "L")
2	2	2	7	The word is written <u>Legislature</u> (capital "L")
2	2	2	8	Comma after the word <u>act</u> ,
2	2	2	9	The word is written <u>Legislature</u> (capital "L")
2	3	3	2	No comma after the word <u>and</u>
2	3	3	2	No comma after the word <u>accepted</u>
2	3	3	4	The word is written <u>Legislature</u> (capital "L")
3	1	3	10	Comma after the word <u>fund</u> ,
3	1	3	10	No comma after the word <u>if</u>
3	1	3	11	Comma after the word <u>necessary</u> ,
3	2	4	2	The word is written <u>virtue</u> . Should be <u>virtu</u>
3	3	5	1	The word is written <u>grandaughter</u> (one "d")
3	3	5	5	The phrase is <u>Fifteen Thousand dollars (\$15000.00)</u>
3	4	6	3	The phrase is <u>Three Thousand dollars (\$3000.00)</u>
3	5	7	2	The phrase is <u>Three Thousand dollars (\$3000.00)</u>
3	6	8	2	The word is written <u>entaglio</u> . Should be <u>intaglio</u>
4	1	9	2	The word is written <u>virtue</u> . Should be <u>virtu</u>
4	1	9	3	The phrase is <u>and all my books</u>

The Will is signed Thos. G. Clemson (L.S.). There is no period or comma after the names Hunter, Jenkins and Terrie; and there are no periods in the signature of Terrie.

In the Codicil

<u>Page No.</u>	<u>Parag. No.</u>	<u>Item No.</u>	<u>Line No.</u>	<u>Notes</u>
		<u>First</u>		
4	1	Sentence	3	The phrase is <u>with this my codicil</u>
4	3	2	1	The phrase <u>the 11th Item</u> should be <u>the 12th Item</u>
4	3	2	2	The phrase is <u>Rion my Executor</u>
4	5	4	1	The word is written <u>Item 6</u> (capital "I")
5	3	7	1	The phrase is <u>or upon a credit,</u>
5	5	9	3	The phrase is <u>such sums of money</u>
5	6	10	3	The phrase is <u>other person or friend to help me</u>
5	6	10	6	The phrase is written <u>five per cent</u>
5	7	11	6	The phrase is <u>make claim of my estate</u>
5	8	12	6	Comma after the word <u>guardian,</u>
5	8	12	7	The phrase is <u>the one or the other</u>
5	8	12	8	The word is <u>purposes</u>
5	8	12	10	The phrase is <u>my said granddaughter</u>
5	8	12	14	Comma after the word <u>change,</u>
5	8	12	15	No comma after the word <u>testament</u>
5	8	12	16	The phrase is <u>of all of my bequests</u>
5	8	12	16	No comma after the word <u>Lee</u>
5	8	12	22 & 23	The phrase is <u>by my executor</u>
5	8	12	24	The phrase <u>the 8th Item</u> should be <u>the 9th Item</u>
5	9	13	2	The phrase is <u>of any errors</u>

There is no period or comma after the names Jenkins and Mounce, but there is a period after the name Young. There are no periods in the signature of Mounce.

COPY OF WILL AND CODICIL THERETO OF THOMAS GREEN CLEMSON
MADE BY JOHNSTONE & MCLAIN, A LAW FIRM IN COLUMBIA, S. C.

(This copy was secured by Clemson College probably in the early 1920's)

In the Will

Page No.	Parag. No.	Item No.	Line No.	Notes
1	1	Preamble	11	The word is written <u>distribution</u>
1	1	Preamble	11	The word is written <u>then</u>
1	1	Preamble	15	The word is written Dated (capital "D")
2	3	"	5	<i>The phrase is written physical and intellectual</i>
2	3	Preamble	17	The word is written <u>exaggerate</u> (two "g's")
2	3	Preamble	20	The word is written <u>overrate</u> (two "r's")
2	3	Preamble	20	The word is written <u>legislature</u> (small "l")
3	1	1	17	The word is written <u>Legislature</u> (capital "L")
3	2	2	10	The word is written <u>Legislature</u> (capital "L")
4	1	2	2	No comma after the word <u>act</u>
4	1	2	3	The word is written <u>Legislature</u> (capital "L")
4	2	3	3	Comma after the word <u>and</u> ,
4	2	3	3	Comma after the word <u>accepted</u> ,
4	2	3	6	The word is written <u>Legislature</u> (capital "L")
5	1	3	8	Comma after the word <u>fund</u> ,
5	1	3	8	Comma after the word <u>if</u> ,
5	1	3	9	Comma after the word <u>necessary</u> ,
5	2	4	3	The word is written <u>vesture</u>
5	3	5	1	The word is written <u>granddaughter</u> (two "d's")
5	3	5	6 & 7	The phrase is written <u>fifteen thousand dollars (\$15,000)</u>
6	1	6	3 & 4	The phrase is written <u>three thousand dollars (\$3,000)</u> ,
6	2	7	3	The phrase is written <u>three thousand dollars (\$3,000)</u>
6	3	8	2	The word is written <u>entaglio</u>
6	4	9	5	The word is written <u>vesture</u>
6	4	9	8	The phrase is written <u>and all my books</u>

The Will is signed Thos. G. Clemson, L. S. There are commas after the names Hunter and Jenkins; and periods in the signature of Terrie.

In the Codicil

<u>Page No.</u>	<u>Parag. No.</u>	<u>Item No.</u>	<u>Line No.</u>	<u>Notes</u>
		<u>First</u>		
8	1	Sentence	2	The phrase is written <u>with this my codicil</u>
8	3	2	1	The phrase is written <u>the 12th item</u>
8	3	2	3	The phrase is written <u>Rion my executor</u>
8	5	4	1	The word is written <u>item 6</u> (small "i")
9	2	7	2 & 3	The phrase is written <u>or upon a credit,</u>
9	4	9	5	The phrase is written <u>such a sum of money</u>
9	5	10	6	The phrase is written <u>other person or friend to help me</u>
9	5	10	9	The phrase is written <u>five per cent.</u>
10	2	11	12 & 13	The phrase is written <u>make claim of my estate</u>
11	1	12	8	No comma after the word <u>guardian</u>
11	1	12	8 & 9	The phrase is written <u>the one nor the other</u>
11	1	12	11	The word is written <u>purposes</u>
11	1	12	15	The phrase is written <u>my said granddaughter</u>
11	1	12	22	No comma after the word <u>change</u>
11	1	12	23	No comma after the word <u>testament</u>
11	1	12	25	The phrase is written <u>of all of my bequests</u>
11	1	12	26	Comma after the word <u>Lee,</u>
12	1	12	6	The phrase is written <u>by executor</u>
12	1	12	8 & 9	The phrase is written <u>the eighth item</u>
12	2	13	3	The phrase is written <u>of my errors</u>

There are periods in the signatures of the witnesses Jenkins, Young and Mounce.

COPY OF WILL AND CODICIL THERETO OF THOMAS GREEN CLEMSON
THE CLEMSON AGRICULTURAL COLLEGE BULLETIN, VOL. XXI, JANUARY, 1925, NO. I
(This copy was made from copy by Johnstone & McLain)

In the Will

Page No.	Parag. No.	Item No.	Line No.	Notes
8	1	Preamble	10	The word is written <u>distribution</u>
8	1	Preamble	11	The word is written <u>than</u>
8	1	Preamble	14	The word is written <u>dated</u> (small "d")
9	3	"	5	<i>The phrase is written <u>physical and intellectual</u></i>
9	3	Preamble	16	The word is written <u>exaggerate</u> (two "g's")
9	3	Preamble	19	The word is written <u>overrate</u> (two "r's")
9	3	Preamble	19	The word is written <u>legislature</u> (small "l")
10	1	1	4	The word is written <u>legislature</u> (small "l")
10	3	2	8	The word is written <u>legislature</u> (small "l")
10	3	2	10	Comma after the word <u>act</u> ,
10	3	2	10	The word is written <u>legislature</u> (small "l")
10	4	3	2	No comma after the word <u>and</u>
10	4	3	2	Comma after the word <u>accepted</u> ,
10	4	3	5	The word is written <u>legislature</u> (small "l")
11	1	3	9	No comma after the word <u>fund</u>
11	1	3	9	Comma after the word <u>if</u> ,
11	1	3	10	No comma after the word <u>necessary</u>
11	2	4	3	The word is written <u>vesture</u>
11	3	5	1	The word is written <u>granddaughter</u> (two "d's")
11	3	5	6	The phrase is written <u>fifteen thousand dollars (\$15,000)</u>
11	4	6	4	The phrase is written <u>three thousand dollars (\$3,000)</u> ,
11	5	7	2 & 3	The phrase is written <u>three thousand dollars (\$3,000)</u> ,
11	6	8	2	The word is written <u>entaglio</u>
12	2	9	5	The word is written <u>vesture</u>
12	2	9	7	The phrase is written <u>and all my books</u>

The Will is signed Thomas G. Clemson, L. S. There are periods after the names Hunter and Jenkins; and periods in the signature of Terrie.

In the Codicil

<u>Page No.</u>	<u>Parag. No.</u>	<u>Item No.</u>	<u>Line No.</u>	<u>Notes</u>
		<u>First</u>		
13	1	Sentence	1 & 2	The phrase is written <u>with this, my codicil</u>
13	3	2	1	The phrase is written <u>the 12th item</u>
13	3	2	2	The phrase is written <u>Rion as executor</u>
13	5	4	1	The word is written <u>Item 6</u> (capital "I")
13	8	7	2	The phrase is written <u>or upon a credit,</u>
14	1	9	1	The phrase is written <u>such a sum of money</u>
14	2	10	5	The phrase is written <u>other friend to help me</u>
14	2	10	8	The phrase is written <u>five percent</u>
14	3	11	11	The phrase is written <u>make claim of my estate</u>
14	4	12	10	Comma after the word <u>guardian,</u>
14	4	12	11	The phrase is written <u>the one nor the other</u>
14	4	12	13	The word is written <u>purpose</u>
15	1	12	3 & 4	The phrase is written <u>said granddaughter</u>
15	1	12	10	No comma after the word <u>change</u>
15	1	12	10	Comma after the word <u>testament,</u>
15	1	12	12	The phrase is written <u>of all my bequests</u>
15	1	12	13	Comma after the word <u>Lee,</u>
15	1	12	22	The phrase is written <u>by my executor</u>
15	1	12	24	The phrase is written <u>the eighth item</u>
15	2	13	3	The phrase is written <u>of my errors</u>

There are periods in the signatures of the witnesses Jenkins, Young and Mounce.

COPY OF WILL AND CODICIL THERETO OF THOMAS GREEN CLEMSON
 APPEARING IN APPENDIX TO THE BOOK THOMAS GREEN CLEMSON BY HOLMES AND SHERRILL
 (This copy was made from copy appearing in THE CLEMSON AGRICULTURAL COLLEGE
 BULLETIN, VOL. XXI, JANUARY, 1925, NO. I.) (The Book was published in 1937)

In the Will				Notes
Page No.	Parag. No.	Item No.	Line No.	
193	1	Preamble	10	The word is written <u>distribution</u>
193	1	Preamble	10	The word is written <u>than</u>
193	1	Preamble	13	The word is written <u>dated</u> (small "d")
193	4	"	4	The phrase is written <u>physical and intellectual</u>
194	1	Preamble	4	The word is written <u>exaggerate</u> (two "g's")
194	1	Preamble	7	The word is written <u>overrate</u> (two "r's")
194	1	Preamble	7	The word is written <u>legislature</u> (small "l")
194	2	1	18	The word is written <u>legislature</u> (small "l")
194	4	2	7	The word is written <u>legislature</u> (small "l")
195	1	2	2	Comma after the word <u>act</u> ,
195	1	2	3	The word is written <u>legislature</u> (small "l")
195	2	3	2	No comma after the word <u>and</u>
195	2	3	2	Comma after the word <u>accepted</u> ,
195	2	3	5	The word is written <u>legislature</u> (small "l")
195	2	3	24	No comma after the word <u>fund</u>
195	2	3	24	Comma after the word <u>if</u> ,
195	2	3	24	No comma after the word <u>necessary</u>
196	1	4	1	The word is written <u>vesture</u>
196	2	5	1	The word is written <u>granddaughter</u> (two "d's")
196	2	5	5 & 6	The phrase is written <u>fifteen thousand dollars (\$15,000)</u>
196	3	6	4	The phrase is written <u>three thousand (\$3,000)</u> ,
196	4	7	2 & 3	The phrase is written <u>three thousand dollars (\$3,000)</u> ,
196	5	8	2	The word is written <u>entaglio</u>
196	6	9	5	The word is written <u>vesture</u>
196	6	9	7	The phrase is written <u>and all of my books</u>

The Will is signed Thomas G. Clemson, L. S. There is no period or comma after the names Hunter, Jenkins and Terrie; but there are periods after the initials of Jenkins and Terrie.

In the Codicil

<u>Page No.</u>	<u>Parag. No.</u>	<u>Item No.</u>	<u>Line No.</u>	<u>Notes</u>
		<u>First Sentence</u>		
197	1		4	The phrase is written <u>with the, my codicil</u>
198	2	2	1	The phrase is written <u>the 12th item</u>
198	2	2	2	The phrase is written <u>Rion as executor</u>
198	4	4	1	The word is written <u>Item 6</u> (capital "I")
198	7	7	2	The phrase is written <u>or upon acrédit,</u>
199	1	9	2	The phrase is written <u>such a sum of money</u>
199	2	10	5	The phrase is written <u>other friend to help me</u>
199	2	10	8	The phrase is written <u>five per cent</u>
199	3	11	10	The phrase is written <u>make claim to my estate</u>
200	1	12	3	Comma after the word <u>guardian,</u>
200	1	12	3	The phrase is written <u>the one nor the other</u>
200	1	12	5	The word is written <u>purpose</u>
200	1	12	9	The phrase is written <u>said granddaughter</u>
200	1	12	15	No comma after the word <u>change</u>
200	1	12	15	Comma after the word <u>testament,</u>
200	1	12	17	The phrase is written <u>of all my bequests</u>
200	1	12	17	Comma after the word <u>Lee,</u>
200	1	12	26	The phrase is written <u>by my executor</u>
200	1	12	28	The phrase is written <u>the eighth item</u>
200	2	13	2 & 3	The phrase is written <u>of my errors</u>

There is no period or comma after the names Jenkins, Young and Mounce; but there are periods after the initials of these men.